

What is the Americans with Disabilities Act (ADA)?

The Americans with Disabilities Act (ADA) gives civil rights protection to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion.

An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all of the impairments that are covered.

The ADA guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications. The ADA is divided into Titles I, II, III, and IV.

ADA Title I: Employment Practices by Units of State and Local Governments.

Title I requires employers with 15 or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others. For example, it prohibits discrimination in recruitment, hiring, promotions, training, pay, social activities, and other privileges of employment. Complaints can be filed at any U.S. Equal Employment Opportunity Commission (EEOC) field office. For complaints within the Southern District of Illinois, call the Chicago EEOC field office at **(312) 353-2713** (between the hours of 8:30-5:00). The TDD number is **(312) 353-2421**. Complaints must be filed with the EEOC within 180 days of the date of discrimination or 30 days if the charge is filed with a designated state or local fair employment practice agency.

Information on EEOC-enforced laws may be obtained by calling:

Questions: (800) 669-4000 (voice)
(800) 669-6820 (TDD)

Documents: (800) 669-3362 (voice)
(800) 800-3302 (TDD)

For information on how to accommodate a specific individual with a disability, call the Job Accommodation Network at:

(800) 526-7234 (voice/TDD)

(800) ADA-WORK (voice/TDD)

ADA Title II: State and Local Government Programs, Services and Activities

Title II covers all activities of state and local governments regardless of the government entity's size or receipt of federal funding. Title II requires that state and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g., public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings). State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings. They also must relocate programs or otherwise provide access in inaccessible older buildings, and they must communicate effectively with people who have hearing, vision, or speech disabilities.

Public entities are not required to take actions that would result in undue financial and administrative burdens. They are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided. Complaints of Title II violations may be filed with the Department of Justice (DOJ) within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the DOJ. The DOJ may bring a lawsuit where it has investigated a matter and has been unable to resolve violations. For more information or to file a complaint, contact:

Disability Rights Section

Civil Rights Division

U.S. Dept of Justice

P.O. Box 66738

Washington, DC 20035-6738

(800) 514-0301 (voice)

(800) 514-0383 (TDD)

Automated service is available 24 hours a day for recorded information and to order publications. ADA specialists are available on Monday, Tuesday, Wednesday, and Friday from 9:00 a.m. until 5:00 p.m. and on Thursday from 12:00 p.m. until 5:00 p.m. (Central Time).

Title II also provides that public entities, and particularly 911 emergency telephone systems, must provide access to those who use TDDs. For more information or to file a complaint, write to the address given or call: **(202) 307-0663 (voice/TDD)**.

Title II may also be enforced through private lawsuits in federal court. It is not necessary to file a complaint through DOJ or any other federal agency, or to receive a "right-to-sue" letter, before filing in court.

ADA Title III: Public Accommodations

Title III covers public accommodations offered by privately operated entities and commercial facilities. Privately owned or operated public accommodations include restaurants, retail stores, hotels, movie theaters, private schools, convention centers, doctors' offices, homeless shelters, transportation depots, zoos, funeral homes, daycare centers, and recreation facilities including sports stadiums and fitness clubs. Transportation services provided by private entities are also covered by Title III. For more information regarding filing a complaint or receiving a "right-to-sue" letter, contact:

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Within the Southern District of Illinois, you may also call the United States Attorney's Office at **(618) 628-3700**, and ask for the ADA attorney.

ADA Title IV: Telecommunications

Title IV addresses telephone and television access for people with hearing and speech disabilities. It requires common carriers (telephone companies) to establish interstate and intrastate telecommunications relay services (TRS) 24 hours a day, 7 days a week. TRS enables callers with hearing and speech disabilities who use text telephones (TTYs or TDDs), and callers who use voice telephones, to communicate with each other through a third party communications assistant. The Federal Communications Commission (FCC) has set minimum standards for TRS. Title IV also requires closed captioning of federally funded public service announcements. For more information about TRS, contact the FCC at:

Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Questions: (888) 225-5322 (voice)
(888) 835-5322 (TDD)

Documents: (888) 225-5322 (voice)
(888) 835-5322 (TDD)

Additional sources of information about the ADA are:

1) Internet:

U.S. Department of Justice Internet Home Page:

<http://www.usdoj.gov>

U.S. Department of Justice, Americans with Disabilities Act Internet Home Page:

<http://www.usdoj.gov/crt/ada/adahom1.htm>

2) Fair Housing Act:

Office of Program Compliance and Disability Rights
Office of Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development
451 7th Street, SW (Room 5242)
Washington, DC 20140

You may also call the Fair Housing Information Clearinghouse at:

(800) 343-3442 (voice)

(800) 483-2209 (TDD)

3) Air Carrier Access Act:

Department Office of Civil Rights
Office of the Secretary
U.S. Department of Transportation
400 Seventh Street, SW
Washington, DC 20590
(202) 366-4648 (voice)
(202) 366-8538 (TDD)

4) Disabilities Education Act:

Office of Special Education Programs
U.S. Department of Education
300 C Street, SW (Room 3086)
Washington, DC 20202
(202) 205-5507 (voice)
(202) 205-9754 (TDD)

The agencies and organizations are not and should not be viewed as sources for obtaining legal advice or legal opinions about your rights or responsibilities under the ADA.



**AMERICANS WITH
DISABILITIES ACT**

RESOURCE GUIDE

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**UNITED STATES
ATTORNEY'S OFFICE
SOUTHERN DISTRICT OF ILLINOIS**

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